City of Lafayette Staff Report

For: City Council

By: Christine Sinnette, Senior Planner

Date Written: May 5, 2008

Meeting Date: May 12, 2008

Subject: Update on Eastern Deer Hill Road General Plan and Zoning amendments

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Planning Division staff have been working on City-initiated General Plan and zoning amendments (GP03-04 and RZ02-04) for seven properties in the Eastern Deer Hill Road area. See Attachment 1 – Parcels and Ownership and Attachment 2 – General Plan and Zoning Designations. The purpose of this joint City Council/Planning Commission meeting is to provide an update on the status of the amendments.

Since initiation of GP03-04 and RZ02-04 in November 2004, staff has described the project as follows.

> GP03-04, CITY OF LAFAYETTE (APPLICANT): Amendment to General Plan Map I-1 to reclassify three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from Administrative/Professional/Office/Multifamily Residential to Rural Residential Single Family and/or Low Density Single Family. The Planning Commission may also consider an amendment to General Plan Map I-1 to reclassify four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill and Pleasant Hill roads from Low Density Single Family Residential to Rural Residential Single Family.
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> RZ02-04, CITY OF LAFAYETTE (APPLICANT): Change of zoning designation for three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from APO to L-R-10 and/or R-20. The Planning Commission may also consider rezoning four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill and Pleasant Hill roads from R-20 to L-R-10.

As can be seen in Attachment 3 -- Chronology, the Planning Commission has directed preparation of studies and conducted numerous public hearings on GP03-04 and RZ02-04 with the goal being to provide a final project description specifically identifying which properties were to be included in the amendments and what the proposed General Plan and zoning designations should be. At their meeting of April 17, 2008, the Planning Commission voted not to change to the zoning of parcel 4 and proposed a zoning change of LR-10 for parcel 21. After numerous other motions for possible zoning designations failed to carry, the proposed General Plan and zoning amendments for the other five parcels remain unresolved.

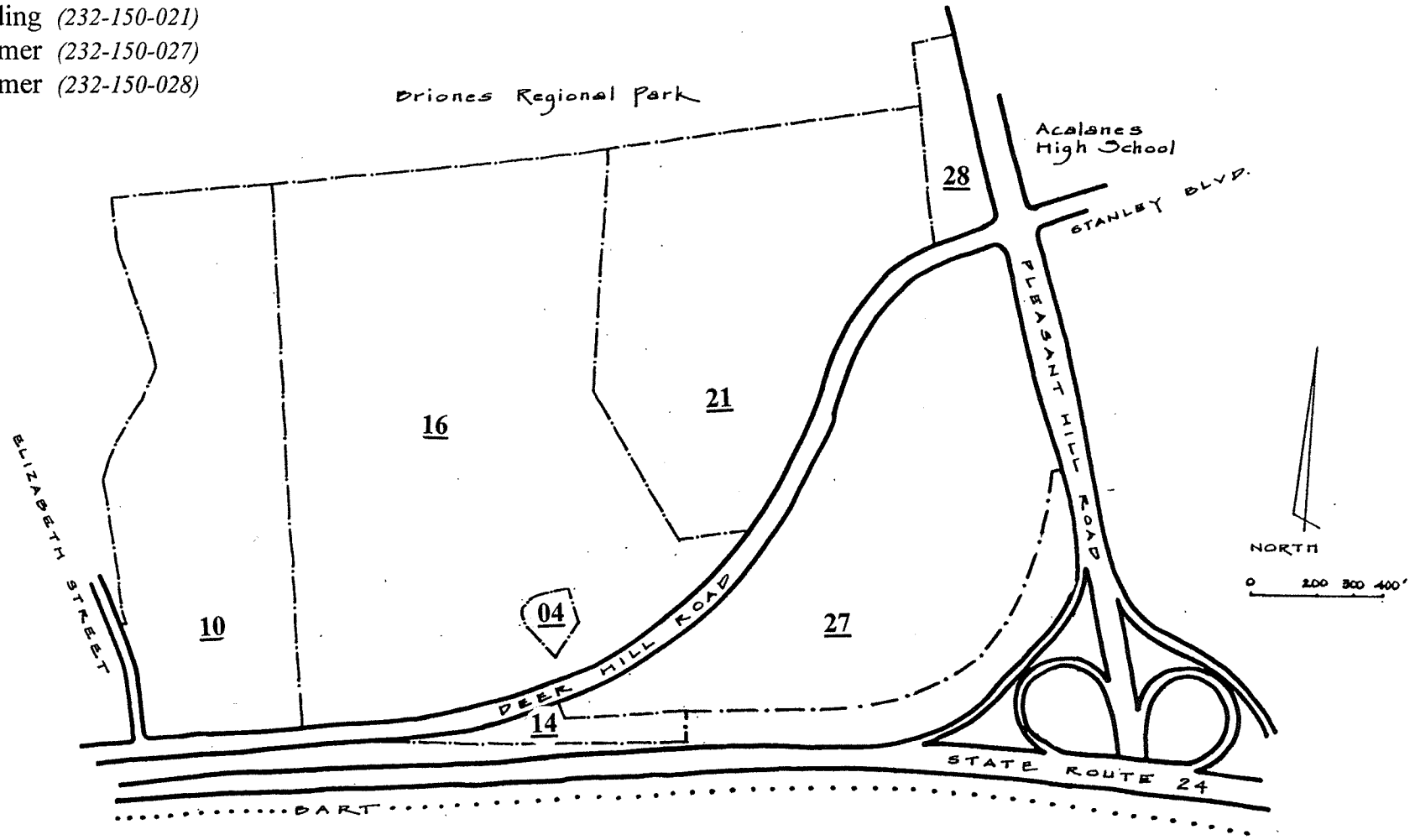
Staff Recommendation

Receive and file.

Attachments

1 Eastern Deer Hill Road Parcels and Ownership
2. Current General Plan and Zoning Designations
2. Chronology for Eastern Deer Hill Road General Plan and Zoning Amendments

04 Naglicki *(232-140-004)*
10 Dettmer *(232-140-010)*
14 Caltrans *(232-140-014)*
16 Dettmer *(232-140-016)*
21 Holding *(232-150-021)*
27 Dettmer *(232-150-027)*
28 Dettmer *(232-150-028)*

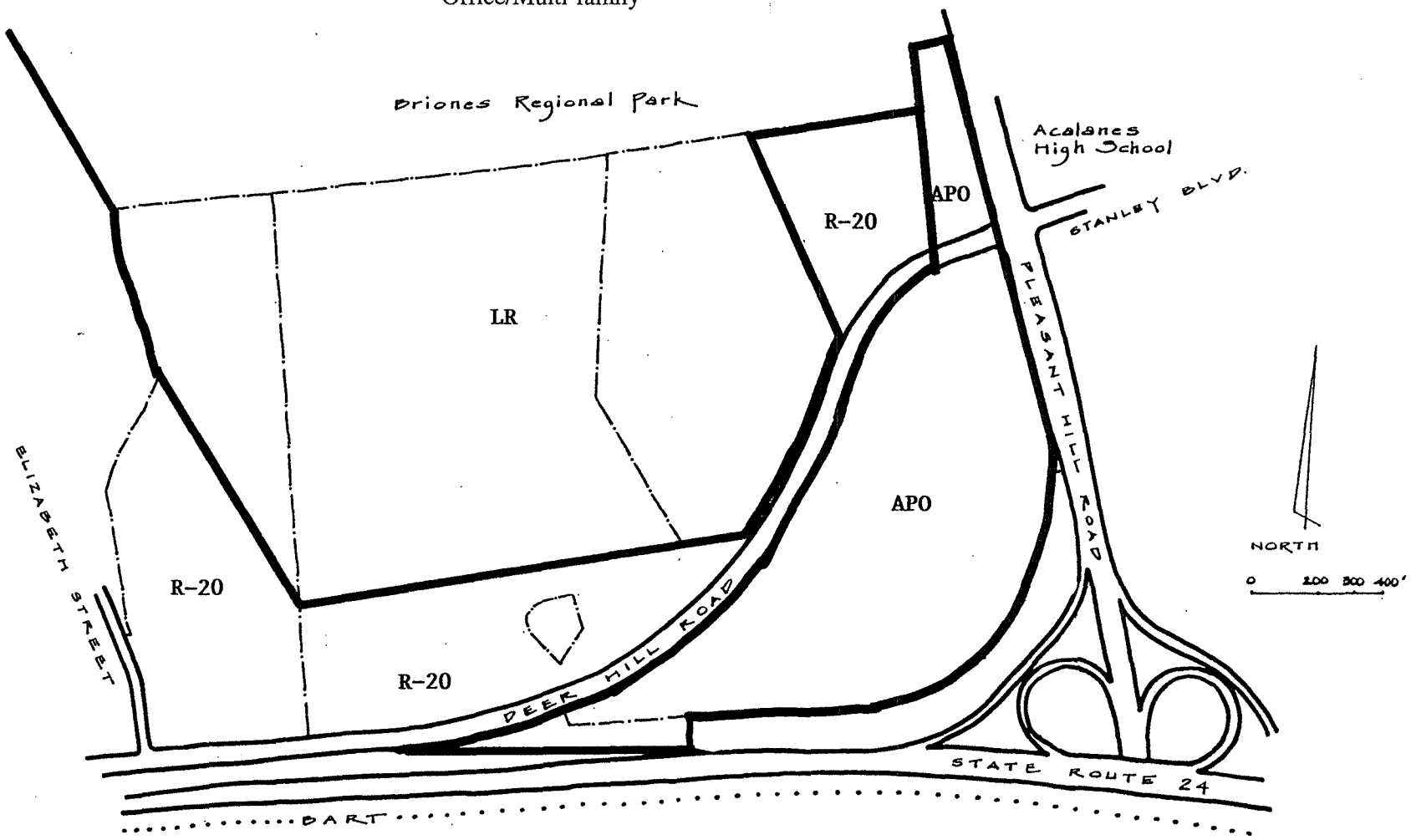


EASTERN DEER HILL ROAD

Parcels and Ownership

ATTACHMENT 1

Zoning	General Plan
LR	Rural Residential Single Family
R-20	Low Density Single Family
APO	Administrative/Professional Office/Multi-family



EASTERN DEER HILL ROAD

ATTACHMENT 2

Chronology of Eastern Deer Hill Road General Plan and Zoning Amendments

February 24, 2003 — The City Council directs staff to initiate a General Plan amendment for the Eastern Deer Hill Road area.

August 2003 — Staff began preparation of the General Plan Amendment but asked for clarification from the City Council on which specific properties to include. The minutes of the City Council meeting of August 11, 2003 state the following:

Mayor Federighi said it is clear they are looking at all seven parcels, but the Council disagrees on what the ultimate zoning designation should be. Ms. Merideth suggested directing staff to look at all seven parcels. Staff can bring back options to be heard by the Planning Commission who can then make a recommendation to the Council. A first scenario could be every parcel is LR. Another scenario could be a suggestion for Parcel 1 depending upon its size, something for Parcel 4 where the line is, how many potential single-family units should be on the property, etc.

Councilmember Tatzin confirmed it would be a Council-initiated General Plan amendment. Ms. Merideth said the Council was initiating a General Plan amendment change tonight, sending it onto the Planning Commission, and that staff would do an analysis. However, she clarified that staff has not concluded on how it would be presented, either with options or with a proposal with alternatives, or some other way.

She [Ms. Merideth] said staff would like a General Plan amendment for all seven properties, with the Planning Commission to make a recommendation, and with a view toward changing the APO parcels to residentially zoned parcels.

ACTION: It was M/S/C (Tatzin/Horn) to direct staff to initiate a General Plan amendment for the seven parcels as outlined in the Eastern Deer Hill Road area and that parcels with APO zoning be changed to residential zoning. Vote: 4-0-1 (Samson absent).

November 18, 2004 — Planning Commission conducts first public hearing on GP03-04/RZ02-04 as described below.

GP03-04, CITY OF LAFAYETTE (APPLICANT): Amendment to General Plan Map I-1 to reclassify three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from Administrative/Professional/Office/Multifamily Residential to Rural Residential Single Family and/or Low Density Single Family. The

Planning Commission may also consider an amendment to General Plan Map I-1 to reclassify four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill and Pleasant Hill roads from Low Density Single Family Residential to Rural Residential Single Family.

RZ02-04, CITY OF LAFAYETTE (APPLICANT): Change of zoning designation for three properties (APN 232-140-014, 232-150-027, and 232-150-028) located on Deer Hill and Pleasant Hill roads from APO to L-R-10 and/or R-20. The Planning Commission may also consider rezoning four properties (APN 232-140-004, 232-140-010, 232-140-016, and 232-150-021) located on Deer Hill and Pleasant Hill roads from R-20 to L-R-10.

January 6, 2005 — Planning Commission conducts a public hearing. At the meeting, a majority of the Commissioners expressed concern about moving forward with GP03-04/RZ02-04 without additional information on the physical characteristics of the properties and an assessment of their development potential. The Commission directed staff to prepare a preliminary scope of work and budget for a consultant to prepare an opportunities and constraints analysis (OCA) for the seven Deer Hill Road properties.

February 3, 2005 — Planning Commission holds a public hearing where staff presents a scope of work and budget for a consultant to prepare an OCA. The Commission votes to forward the Commission's recommendation to the City Council for preparation of an OCA prior to any further action on GP03-04/RZ02-04.

March 15, 2005 — City Council conducts a public hearing to consider preparation of an OCA. The City Council votes to provide $40,000 from the General Fund for the preparation of the OCA.

September 7, 2006 — Planning Commission conducts a public hearing where it reviews the OCA prepared by MHA Consulting and considers staff's request to decide which specific properties within the Easter Deer Hill Area should be included in the General Plan and rezoning applications and what the designations should be. Further discussion on GP03-04/RZ02-04 is continued to allow staff to respond to Planning Commission requests for more information related to a scope of work and estimated cost for a consulting civil engineer to calculate the average slope of specific properties in the study area and a scope of work for conceptual design studies for parcels 27 and 28 (1175 Pleasant Hill Road and 3233 Deer Hill Road, respectively), including bulk and mass studies and circulation and traffic constraints.

October 19, 2006 & November 16, 2006	Staff provides scopes of work for average slope calculations and conceptual development studies to the Planning Commission at a public hearing. On November 16, the Commission directs staff to proceed with requests for proposals for the two studies. (The $30,000 needed to prepare the studies is included in the Planning Services Division consulting services budget.)
November 15, 2007	As directed by the Planning and Building Services Manager, staff provides the Planning Commission with a copy of the proposal by Design, Community & Environment to prepare conceptual development studies for parcels 27 and 28. The Planning Commission votes to rescind its prior direction to staff for preparation of conceptual development studies.
November 21, 2007	Martin Lysons of Gagen McCoy files a letter on behalf of Anna Maria Dettmer appealing the Planning Commission's November 15 decision.
January 14, 2008	City Council conducts a public hearing on the appeal by Anna Maria Dettmer and votes to deny the appeal and uphold the Planning Commission's decision to rescind the preparation of conceptual development studies.
February 21, 2008	Planning Commission conducts a public hearing where it reviews the results of the average slope data prepared by Schell & Martin, Inc. at the request of the Planning Commission. Staff suggests that the Commission consider LR-5 zoning for the properties with split zoning and MRP – Multi-family Residential/Professional Office, One-story District for properties fronting on Pleasant Hill Road. The Planning Commission continues discussion to March 20 and asks staff to prepare an LR-5 analysis and provide more information for the properties fronting on Pleasant Hill Road.
March 20, 2008	Planning Commission conducts a public hearing where it considers LR-5, LR-10, and MRP zoning. A straw vote is conducted on the possible zoning designations for parcels 4, 10, 16, and 21. On a vote of 4 to 3 in favor, the Commission settles on no change to the R-20 zoning of parcel 4 and that a zoning change of LR-10 for parcels 10, 16, and 21 be considered. The Commission continues discussion on parcels 14, 27, and 28 to the meeting of April 17.
April 17, 2008	Planning Commission conducts a public hearing where it considers LR-10, MRP and MRT (Multi-family Residential Townhouse District) zoning. By a majority vote, the Commission proposes no change to the R-20 zoning of parcel 4 and proposes a zoning change of LR-10 to parcel 21. After numerous other motions for possible zoning designations fail to carry, the Commission leaves General Plan and zoning amendments for the remaining five parcels unresolved.